

REMARKS

This response is further to the Request for Continued Examination filed January 8, 2008. A signed Declaration Under 37 CFR 1.132 is attached to this response.

Claims 1 and 4-6 are pending in the application. The claims have been rejected over any one of JP '510 (JP 2000-108510), HAMADA et al. (JP 2000-168233), JP '335 (JP 2000-289335) in view of JP '426 (JP 10-278426), the abstract of JP '793 (JP 03-224793) and JP '746 (JP 58-021746). Traversal of these rejections is maintained.

Distinctions of the present invention over the applied art references are of record in the application. For brevity, these distinctions are not repeated here.

This paper additionally presents a Declaration Under 37 CFR 1.132 that compares a decomposition temperature of a compound of HAMADA et al. compared to one of the present invention. The results show that the present invention produces a cyanine compound which has a low decomposition temperature and is therefore better suited to be an optical recording material than the higher decomposition temperature materials produced by HAMADA et al.

As a result, the unexpected results of the present invention demonstrate the superior aspects which fully rebut any *prima facie* case of unpatentability that can be made.

These rejections are believed to be overcome and withdrawal thereof is respectfully requested.

Statement of Substance of Interview

The Examiner is thanked for graciously conducting a personal interview with the applicants' representative on January 24, 2008. During the interview, the patentability of the present invention was discussed, particularly in light of the art reference of HAMADA et al. At the end of the interview, the Examiner prepared an Interview Summary. The Interview Summary has been reviewed and it appears to reflect the substance of the interview. However, it is respectfully noted that the interview discussed compounds 1 and 20 of the present invention and that compound 2 of HAMADA et al. has benzyl-indole substitution on both sides, whereas compounds 12 and 20 of the present invention have benzyl-indole substitution on only one side.

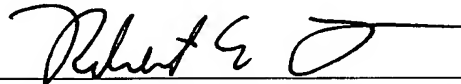
Conclusion

It is believed that the rejections have been overcome, obviated or rendered moot and that no issues remain. The Examiner is accordingly respectfully requested to place the application in condition for allowance and to issue a Notice of Allowability.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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